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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,832	06/12/2002	Heinrich Marti	HM-483PCT	6794

7590 03/04/2003

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New York, NY 10173

EXAMINER

LIN, KUANG Y

ART UNIT	PAPER NUMBER
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1725

DATE MAILED: 03/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/088,832

Applicant(s)

MARTI ET AL.

Examiner

Kuang Y. Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

1. Applicants are requested to provide headings, such as "BACKGROUND OF THE INVENTION", "SUMMARY OF THE INVENTION", "BRIEF DESCRIPTION OF THE DRAWINGS", "DETAILED DESCRIPTION OF THE DRAWINGS", etc. to render the specification in better format.
2. Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

These claims are written in a narrative format rather than an objective format and thereby they do not positively and directly include all the structural elements which are referred thereto. It is noted that numeral claims involve a method step(s) in the apparatus claim. However, the method step(s) does not further limit the scope of the apparatus claim. Further, in claim 1, line 3, the reference numeral "33" shall be "22" accordingly to the drawing. In claim 5, it is not clear with respect to what axis the shift direction of the side plate is parallel. In claim 9, it is not clear what part of the side plate which displacement path is lies approximately on a plane underneath the bearing points of the casting rolls. In claim 14, there is a lack of antecedent basis in the claim for "**the** support arm". In claim 16, it is not clear what structure is claimed. Also, there is a lack of antecedent basis in the specification for claimed feature. In claim 18, the support arm shall be consists of a vertical **portion** and a horizontal **portion**. In claim 19, it is not clear what "cable drag chain" is referred to and also there is a lack of antecedent basis in the specification for the claimed feature.

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3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-6, 8-12, 14, 15, 17, 18 are rejected under 35 U.S.C. 102(b)/(e) as being anticipated by either JP 5-329,583, Fukase et al or Jeong et al.

The invention as claimed reads on the prior art apparatus, i.e. the prior art apparatus is capable of performing the function as claimed.

5. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by FR 1,654,658.

The invention as claimed reads on the prior art apparatus, i.e. the prior art apparatus is capable of performing the function as claimed.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 13, 16, 19-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over either JP 5-329,583, Fukase et al or Jeong et al.

With respect to claims 13 and 26, it would have been obvious to provide a connectable accessory lines such that to facilitate the side plate exchanging process. With respect to claim 16, it would have been obvious to provide any alignment means wherever it deems to be necessary. With respect to claim 19, it would have been obvious to provide a supporting and carrying means for supply lines such that to facilitate the side plate exchanging process. With respect to claim 20, it is conventional to provide EM means adjacent to the side plate (see Baharis et al). With respect to claim 21, it is deemed to be obvious to provide any adjusting means wherever it is deemed to be necessary. With respect to claim 22, it is deemed to be obvious to provide a duplicate device such that to speed up the side plate exchanging process. With respect to claims 23-24, it is conventional to provide a transfer lock between the inert gas filled compartments such that the inert atmosphere can be secured (see France et al or Hanai et al). With respect to claim 25, it is conventional to provide heating means for preheating the side plate (see Capotosti et al).

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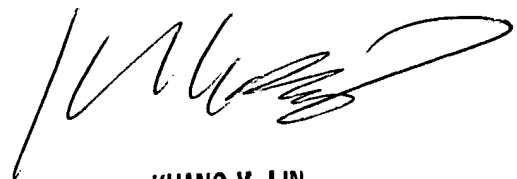
9. Claim 7 is objected to as depending from a rejected claim. However, it contains an allowable subject matter and will be allowed upon being rewritten in an independent format (and also the rejection under 35 U.S.C. 112 supra is overcome).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuang Y. Lin whose telephone number is 703-308-2322. The examiner can normally be reached on Monday-Friday, 10:00-6:30,.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas X Dunn can be reached on 703-308-3318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

February 27, 2003



KUANG Y. LIN
EXAMINER
GROUP 320

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